



General Assembly

Substitute Bill No. 5686

January Session, 2003

***AN ACT REQUIRING REDUCTION IN HAZARDOUS ROAD GLARE
AND LIGHT POLLUTION FROM PRIVATE AREA FLOODLIGHTING
LOCATED WITHIN THE STATE RIGHT-OF-WAY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2003*) (a) For the purposes of
2 this section:

3 (1) "Fixture" means the assembly that holds a lamp and may include
4 an assembly housing, a mounting bracket or pole socket, a lamp
5 holder, a ballast, a reflector or mirror and a refractor or lens;

6 (2) "Luminaire" means the complete lighting system, including the
7 lamp and the fixture;

8 (3) "Lumen" means a unit of measurement of luminous flux;

9 (4) "Floodlight" means any luminaire fitted with a lamp having an
10 output greater than one thousand eight hundred lumens intended for
11 private area lighting and mounted on a utility pole within the state
12 right-of-way;

13 (5) "Light pollution" means direct light emitted above the horizontal
14 plane running through the lowest point on the luminaire;

15 (6) "Light trespass" means light emitted by a luminaire that shines
16 beyond the boundaries of the property intended for illumination;

17 (7) "State highway" has the same meaning as in subsection (a) of
18 section 13a-1 of the general statutes;

19 (8) "Direct light" means light that can be seen directly from the light
20 source and other light-emitting or reflecting elements of the luminaire;

21 (9) "Glare" means the sensation produced by the illuminance of a
22 luminaire within the visual field that is sufficiently greater than the
23 illuminance to which the eyes are adapted causing annoyance,
24 discomfort or loss in visual performance and visibility; and

25 (10) "Illuminance" is the density of the luminous flux incident on a
26 surface represented by the quotient of the luminous flux by the area of
27 the surface when the surface is uniformly illuminated.

28 (b) No floodlight intended for private property illumination shall be
29 located within the state right-of-way on any state highway unless (1)
30 the luminaire is designed to maximize energy efficiency and to
31 minimize light pollution, glare and light trespass, (2) the maintained
32 illuminance levels produced by the luminaire are equal to the
33 minimum maintained levels recommended by the Illuminating
34 Engineering Society of North America for the lighting application, (3)
35 the luminaire is sufficiently shielded and aimed so that no direct light
36 from the luminaire is visible at any point in the highway where the
37 viewing height is four feet or greater and the distance from the
38 mounting pole is seventy feet or greater, and (4) the luminaire is
39 sufficiently shielded and aimed to prevent light trespass onto
40 properties other than the property intended for illumination and so
41 that no direct light is visible at a viewing height of five feet or greater
42 at any point along the adjacent property line.

43 (c) No floodlight intended for private property illumination shall be
44 located within the state right-of-way if the structure or object intended
45 for illumination is across a public highway from the utility pole on
46 which the floodlight would be mounted.

47 (d) Any luminaire in violation of any provision of subsection (b) or

48 (c) of this section operating prior to October 1, 2003, shall be brought
49 into compliance with the requirements in subsection (b) of this section
50 no later than October 1, 2005.

51 (e) On and after October 1, 2005, the Commissioner of
52 Transportation shall notify an electric distribution company of any
53 reported violation of the requirements in subsection (b) of this section.
54 Any company receiving such notice shall correct the violation not later
55 than ninety days after the date of receipt of the notice. In the event an
56 electric distribution company fails to correct such violation before such
57 ninety-day period expires, the Commissioner of Transportation shall
58 impose a civil penalty of one hundred dollars per day for each day the
59 violation continues after such ninety-day period. Any penalty imposed
60 on an electric distribution company shall be paid from shareholders'
61 profits and shall not be included by the Department of Public Utility
62 Control when determining rates for such company.

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| This act shall take effect as follows: | |
| Section 1 | <i>October 1, 2003</i> |

TRA *Joint Favorable Subst.*